

shipped, were false and misleading, since the statements represented and suggested that the article would be efficacious to develop the reproductive organs of poultry for heavy laying; to produce more eggs from hens and to produce healthy, heavy laying birds; to build health in horses, cows, sheep, pigs, dogs, cats, chickens, poults, turkeys, ducks, geese, foxes, and mink; to exterminate and eliminate worms of all kinds; to build up a good rich blood stream; to regulate and keep the liver and kidneys healthy; to purify the blood and to build a strong healthy body in hens; and, further, that the article would be a preventive and remedy for white and yellow diarrhea, leg weakness, blackhead in turkeys, and coccidiosis in chickens; that it would be efficacious against causes of range paralysis of poultry; and that it would keep dogs well and in good health. The article would not be efficacious for the purposes represented.

Mar-to-Ma Chick Rem. Misbranding, Section 502 (a), certain statements in the above-described labeling were false and misleading, in that they represented and suggested that the article would be efficacious as a preventive of disease in poultry and animals; that it would be efficacious in keeping the bowels of laying hens and turkeys in good condition and in treating farm stock and pigs for disorders of the bowels; that it would be efficacious in the treatment of diarrhea, scours, and similar conditions in animals; that it would be efficacious to create an appetite and enable birds to digest their food; that it would cause birds to develop better; that it would be efficacious in the treatment of coccidiosis and blackhead; that it would be efficacious to produce healthy, heavy laying birds, and to prevent and remedy white and yellow diarrhea; that when used in combination with the *Mar-To-Ma Compound Powder*, it would prevent and remedy leg weakness, blackhead in turkeys, coccidiosis in chickens, toxic poison of the liver, and range paralysis caused by worms; that it would rid birds of worms and prevent enlarged liver; that it would be efficacious to cure coccidiosis and blackhead, and to kill germs, including germs in the bowel; and that it would heal the bowels and would bring birds back to normal health. The article would not be efficacious for such purposes.

Mar-to-Ma Mycro Rem. Misbranding, Section 502 (a), certain statements in the above-described labeling were false and misleading, in that they represented and suggested that the article would be efficacious in the cure, mitigation, and treatment of mycosis, gizzard erosion, and feed and mold poisoning; that it would be efficacious in the treatment of birds which are low in spirit, drag their wings, and have loose bowels, with yellow, greenish-white, and thin "runny" droppings; and that the article would be efficacious to put birds back on the road to health. The article would not be efficacious for such purposes.

Mar-To-Ma Broiler Compound Powder. Misbranding, Section 502 (a), certain statements on the label of the article, and in a leaflet entitled "How to Prevent Coccidiosis, Blackhead, Mycosis * * * and Colds," which leaflet was shipped with the article, were false and misleading, since such statements represented and suggested that the article would be efficacious as an aid in the treatment of disordered bowels; that it would assist in eliminating some of the worms from which poultry and livestock suffer; that it would be efficacious to cause chicks to grow much faster than they would under ordinary conditions; and that it would be efficacious to produce fast growth in turkeys. The article would not be efficacious for such purposes.

DISPOSITION: January 19, 1948. A plea of nolo contendere having been entered, the court imposed a fine of \$500 on count 1 of the information, suspended the imposition of sentence on counts 2, 3, and 4, and placed the defendant on probation for 2 years.

2348. Misbranding of Tone-O-Mor, Mor-O Liquid, and Bro-No-Mor. U. S. v. 6 Packages, etc. (F. D. C. No. 23876. Sample Nos. 87001-H to 87003-H, incl.)

LABEL FILED: October 29, 1947, Northern District of Iowa.

ALLEGED SHIPMENT: From Minneapolis, Minn., by Hilltop Laboratories. The products were shipped on or about October 24, 1946, and March 8, 1947, and the printed matter was shipped on or about November 7, 1946, and during the month of March 1947.

PRODUCT: 6 4-pound packages of *Tone-O-Mor*, 6 1-quart bottles of *Mor-O Liquid*, and 10 1-quart bottles of *Bro-No-Mor* at Hospers, Iowa, together with one poster entitled "Step Up Egg Production and Hatchability" and two magazines entitled "Hilltop Poultry News Broadway Issue 1947, Vol. V, No. 1." Analyses showed that the *Tone-O-Mor* was a mixture of iron oxide, epsom salt, ferrous sulfate, copper sulfate, sulfur, plant matter, and small amounts of alkaloids, including strychnine; that the *Mor-O Liquid* was essentially an acid liquid containing tannin extracts, aromatic substances, and lactic acid; and that the *Bro-No-Mor* was essentially a kerosene emulsion containing camphor, guaiacol, eucalyptol, other phenolic substances, and water.

NATURE OF CHARGE: *Tone-O-Mor*. Misbranding, Section 502 (a), the name of the article and certain statements in its labeling were false and misleading, since the name and statements represented and suggested that the article was effective to promote growth and hatchability, to aid poultry health, to step up egg production, and to keep birds laying and healthy. The article would not be effective for the purposes stated and implied.

Mor-O Liquid. Misbranding, Section 502 (a), certain statements in the labeling were false and misleading, since they represented and suggested that the article was effective in the treatment of noninfectious enteritis; that it was effective to aid poultry health and to keep poultry laying and healthy; and that it contained 100 percent active ingredients. The article was not effective for such purposes, and it did not contain 100 percent active ingredients.

Bro-No-Mor. Misbranding, Section 502 (a), certain statements in the labeling were false and misleading, since they represented and suggested that the article when used as directed was effective in the treatment of simple noninfectious conditions of the upper respiratory tract of poultry; and that it would be effective to aid poultry health, to prevent and combat respiratory trouble, to keep poultry laying and healthy, and to aid in loosening accumulated mucous in the nose and throat. The article when used as directed was not effective for such purposes.

DISPOSITION: November 25, 1947. Default decree of condemnation and destruction.

2349. Misbranding of Tropiodin Colloidal Iodine (jelly paste form and liquid form) and misbranding of Chloro-Iodine. U. S. v. 45 Jars, etc. (F. D. C. No. 21972. Sample Nos. 38897-H to 38899-H, incl.)

LABEL FILED: December 16, 1946, Eastern District of Wisconsin.

ALLEGED SHIPMENT: 9 jars of the *Tropiodin Colloidal Iodine* (jelly paste form) were secured from Albert B. Trencavel, doing business as the Neodyne Company, Chicago, Ill., and transported from Chicago to Pewaukee, Wis., in the automobile of Jack H. Schmutzler during the month of July 1946. All other jars of the product were shipped by M. T. Edwards, under the direction of Albert B. Trencavel, doing business as the Neodyne Company, from Ashland, Va., to Pewaukee, Wis., on or about September 9, 1946. The *Tropiodin Colloidal Iodine* (liquid form) and the *Chloro-Iodine* were purchased by Jack H. Schmutzler from Albert B. Trencavel, doing business as the Tropiodin Company, Chicago, Ill., and transported from Chicago to Pewaukee in the automobile of Jack H. Schmutzler on or about October 31, 1946. A quantity of printed matter relating to the products was shipped by Albert B. Trencavel, senior trustee and president of the Trencavel Company, Chicago, Ill., from Chicago to Jack H. Schmutzler, Pewaukee, Wis., on or about July 23 and September 13, 1946.

PRODUCT: 68 jars of *Tropiodin Colloidal Iodine* (jelly paste form), 153 bottles of *Tropiodin Colloidal Iodine* (liquid form), and 177 bottles of *Chloro-Iodine* at Pewaukee, Wis., together with 1,075 copies of a circular entitled "Tropiodin," 400 blotters bearing the words "Directions for use of Tropiodin," and 300 circulars entitled "(Non-Specific) Chloro-Iodine." The jars were 1-, 2½-, and 4-ounce sizes, and the bottles were 4-, 8-, and 16-fluid ounce sizes. Analysis of the *Tropiodin Colloidal Iodine* products showed that they consisted chiefly of water, starch, iodine, and potassium iodide; and that the *Chloro-Iodine* consisted chiefly of glycerin, iodine, potassium and sodium iodides and chlorides, and water.

NATURE OF CHARGE: *Tropiodin Colloidal Iodine* (liquid form and jelly paste form). Misbranding, Section 502 (a), certain statements in the circulars entitled "Tropiodin" and in the blotters were false and misleading. These